



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty First day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.1692 of 2022

IN CRL OP.12952/2020

1 M.MURALI [PETITIONERS/ACCUSED]
2 M.CHIRANJEEVI
3 M.SARATH KUMAR

Vs

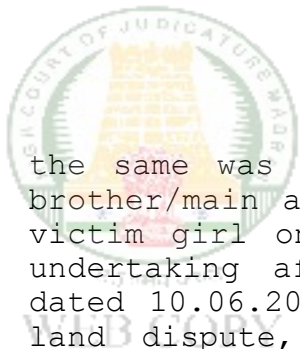
THE STATE REP BY [RESPONDENT/COMPLAINANT]
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GUMMIDIPOONDI, THIRUVALLUR.
(CRIME NO.4/2020)

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit Modification of the order enabling the petitioners to execute a settlement deed by substituting the earliest property settled and pass such further orders or any order that may be deem fit and proper in these circumstances and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S. V. RAMAMURTHY, Advocate for the petitioner and of MR.S.UDHYAKUMAR, Govt. Advocate (Crl. Side)on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition is filed seeking permission to modify the order dated 17.04.2021 in Crl.O.P.No.12952 of 2020, enabling the petitioners to execute a settlement deed by substituting the earliest property settled.

2. The case of the prosecution is that, this Court vide order dated 15.12.2020 granted Interim anticipatory bail to the petitioners subject to the condition that they have to file an affidavit of undertaking stating that if the DNA tests prove that the main accused is responsible for the birth of the child, the petitioners are ready to settle the property in favour of the new born child and



the same was complied with by the petitioners and the petitioners' brother/main accused has also expressed his willingness to marry the victim girl once she attains the age of 18 years. Pursuant to the undertaking affidavit, the petitioners executed a settlement deed dated 10.06.2021 in favour of the minor child. However, due to some land dispute, the present Miscellaneous petition has been filed seeking permission to execute a fresh settlement deed in favour of the minor child in place of the earliest property settled.

3. The learned counsel for the petitioner submitted that, the order of this Court dated 17.04.2021 has been duly complied with by the petitioners and settled an extent of 4 Cents in Survey No.326/1A1C1, Ketnamalli Village, Gummidipoondi Taluk, Thiruvallur District in favour of the minor child namely Dinesh by executing a settlement deed dated 10.06.2021. While so, one K.Thiruvengkagada Reddy is trying to grab the said property by using fraudulent documents and included his name in the patta of the said property and the petitioners are taking steps to resolve the dispute, however, since the settlement deed is in favour of the minor child, they are unable to pursue the matter further. Hence, he submitted that, this Court may allow the present Miscellaneous petition, enabling the petitioners to settle an alternative property in favour of the minor child namely Dinesh.

4. The learned Government Advocate (Crl.Side) has no serious objection for the said order being passed.

5. In view of the fair submission made by the learned counsel for the petitioners, this Court permits the petitioners to execute a fresh settlement deed in respect of the alternative land for an equal extent and value in favour of the minor child to the satisfaction SRO within a period of four weeks from the date of receipt of a copy of this order.

6. Accordingly, this Miscellaneous petition is allowed.

-sd/-
21/02/2022

This order, on being produced, be punctually observed and carried
into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.



TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT, THIRUVALLUR.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
GUMMIDIPOONDI, THIRUVALLUR.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB REGISTRAR
SUB REGISTRAR OFFICE
GUMMIDIPOONDI, THIRUVALLUR.

C.C. to M/S. V. RAMAMURTHY Advocate on payment of necessary
charges

Order
in
CRL MP.1692/2022
in
CRL OP.12952/2020
Date :21/02/2022

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copies of the BAIL/Anti.BAIL Orders in this format

CSK 09/03/2022